

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

H. GABE BALDWIN, KELLY BALDWIN, )  
KIMBERLY ROBB, KEVIN BALDWIN, and )  
BALDWIN, L.P., )  
Plaintiffs, )

v. )

Civ. No. 01-11971-NG

DDJ CAPITAL MANAGEMENT, LLC, )  
PHILIP W. STRAUSS, DAVID J. )  
BREAZZANO, JAY J. MATULICH, JUDY )  
K. MENCHER, WILLIAM B. PHILIPBAR, )  
ROBERT S. RIVKIN, and JOSEPH E. )  
MOTZKIN, )  
Defendants. )

GERTNER, D.J.:

ORDER OF DISMISSAL

December 18, 2002

Pursuant to Federal Rule of Civil Procedure 41(b), this Court **DISMISSES WITHOUT PREJUDICE** all the plaintiffs' claims against DDJ CAPITAL MANAGEMENT, LLC, PHILIP W. STRAUSS, DAVID J. BREAZZANO, JAY J. MATULICH, JUDY K. MENCHER, WILLIAM B. PHILIPBAR, ROBERT S. RIVKIN, and JOSEPH E. MOTZKIN, for the plaintiffs' failure to comply with this Court's order of September 12, 2002 requiring them to file oppositions to the above parties' Motions to Dismiss by October 11, 2002.

SO ORDERED.

Dated: December 18, 2002

  
NANCY GERTNER, U.S.D.J.

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